

WRITTEN TESTIMONY OF
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BEFORE THE
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON MANAGEMENT, INTERGRATION AND OVERSIGHT
UNITED STATES HOUSE OF REPRESENTATIVES

HEARING ON
THE 9/11 REFORM ACT: EXAMINING THE IMPLEMENTATION OF THE
HUMAN SMUGGLING AND TRAFFICKING CENTER

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Good afternoon Mr. Chairman and distinguished members of the subcommittee. Before I begin I would like to extend my sincere gratitude to you and the members of your subcommittee for this opportunity to share with you the status of the interagency Human Smuggling and Trafficking Center, and the strides we have taken to build the Center and ensure that it plays a significant role in United States efforts against the criminal support of clandestine terrorist travel, alien smuggling and trafficking in persons. Your interest in our work is greatly appreciated. As Acting Director I wish to make it clear that I am speaking on behalf of the interagency Center and not any of the participating agencies.

Human smuggling and trafficking into the United States constitute significant risks to national security and public safety. Global pipelines present an unacceptable vulnerability to our nation's security. These pipelines can be used by smuggling and trafficking organizations for the clandestine entry of undocumented aliens and may be exploited by terrorist and extremist organizations to gain entry into the United States.

The interagency Center is designed to turn all-source intelligence into law enforcement or other action in three main mission areas:

- Human smuggling;
- Human trafficking (criminal movement aspect); and
- Criminal smuggler and document provider support of clandestine terrorist travel.

Basically the HSTC helps fight the illicit travel business.

It is an intelligence fusion center and information clearinghouse that was established to break down the information stovepipes to ensure that the people and agencies that need intelligence get it on a timely basis. It is a valuable new tool that is designed to collate, vet and analyze intelligence and related information from a vast range of sources and disseminate actionable operational leads to federal law enforcement, foreign policy and intelligence agencies. It is also designed to inform policy makers of threats in order to help them make informed decisions.

When the HSTC is fully staffed, resourced and supported by participating agencies, it will be better able to draw upon, and leverage their resources, strengths, authorities and expertise in order to achieve greater integration and overall effectiveness in the U.S. Government's enforcement and other response efforts, and work with other governments. It is now beginning to fulfill this potential by providing a mechanism to bring together federal agency representatives from the policy, law enforcement, intelligence, and diplomatic areas to work together on a full time basis to achieve increased effectiveness, and to convert intelligence into effective law enforcement, diplomatic, and other action.

Under the terms of the HSTC Charter, the Center is a voluntary initiative. Agencies choose to participate because they see benefits. These agencies are: Department of State - (International Narcotics and Law Enforcement Affairs, Consular Affairs, Diplomatic Security); Department of Justice - (Criminal Division, Civil Rights Division, Federal Bureau of Investigation); Department of Homeland Security - (Immigration and Customs Enforcement, United States Coast Guard, Office of Intelligence Analysis) and members of the Intelligence Community.

The Center's efforts are fundamentally supportive in nature as the HSTC is intended to fuse information obtained from multiple sources and provide participating agencies with tailored intelligence that can enhance law enforcement and other action. It does not direct any activities or develop policy.

Even while under construction, the Center has become a "center of excellence" that US government agencies turn to more and more because of its unique expertise and knowledge in the realms of smuggler support of terrorist travel, human smuggling and human trafficking. While we are proud of this recognition, we realize that it can be a two edged sword, as the Center can become subject to rising expectations beyond its capabilities.

The HSTC is still very much a work in progress. In the year and half since the Departments of State, Justice and Homeland Security signed the Center Charter, and the little over a year since the Intelligence Reform and Terrorism Prevention Act (IRTPA) established the Center in law, we have made substantial progress in building a useful organization and fulfilling its responsibilities. However, it still has a way to go before it can fulfill all that is required by the IRTPA or expected of it by agencies or other interagency centers such as the National Counterterrorism Center, with which the HSTC cooperates.

Under the Charter, the HSTC was originally envisioned as a small operation with a limited mission and responsibilities; with the following functions:

- Facilitate the broad dissemination of all-source information;
- Prepare strategic assessments that provide accurate and timely information about: organizations' organization, infrastructure and methods of operation; smuggling routes, countries and geographic regions; and criminal methodologies;
- Identify issues for interagency attention or coordination;
- If requested, coordinate select initiatives and provide support; and
- Serve as a point of contact for cooperation with foreign authorities.

Section 7202 of the IRTPA of 2004 added significant new functions and responsibilities to the Center, which the Center was not originally created or organized to handle:

- Serve as the focal point for interagency efforts to address terrorist travel;
- Serve as a clearinghouse with respect to all relevant information from all Federal Government agencies in support of the United States strategy to address the issues of clandestine terrorist travel, migrant smuggling and trafficking of persons;
- Ensure cooperation among all relevant policy, law enforcement, diplomatic, and intelligence agencies of the Federal Government to improve effectiveness and to convert all information available to the Government relating to the three mission areas into tactical, operational, and strategic intelligence that can be used to combat such illegal activities;
- Prepare and submit to Congress, on an annual basis, a strategic assessment regarding vulnerabilities in the United States and foreign travel systems that may be exploited by international terrorists, human smugglers and traffickers, and their facilitators;
- Support the efforts of the National Counter Terrorism Center.

The Center staff has labored diligently over the last year. Their efforts have produced significant results in the areas of building the Center's infrastructure, fulfilling some of the requirements

assigned to it by the IRTPA, and fostering greater U.S. and international cooperation to combat terrorist mobility, human smuggling and human trafficking. These results were achieved with a minimum of fiscal, information technology (IT), and human resources. Currently the Center staff is made up of 11 full-time and five part-time people, all of whom are detailed or assigned to the Center by their parent agencies. We also have one contract support person. The following outlines *some* of the accomplishments that have resulted from their efforts:

On June 20, 2005, the HSTC fulfilled IRTPA Section 7202(d), which required the President to transmit a report to the Congress outlining progress that has been made in standing up the HSTC and to identify its staffing and resource needs.

The Departments of State, Justice and Homeland Security signed a cost reimbursement agreement to cover the HSTC's non-personnel related operating costs for fiscal years 2005 and 2006. This will significantly increase the Center's ability to fulfill its many missions.

The HSTC is located in a secure location that is supported by the State Department. Although it uses a State Department IT backbone, as a fusion center, classified connectivity and information management are critical. We are establishing IT connectivity to many participating agencies, including the Intelligence Community. We are also working closely with our partners and have an especially close relationship with the National Counter Terrorism Center.

The Center has disseminated almost 2000 cables and reports since May 2005. Center staff created an Intelligence Dissemination Tracking System and Database in December 2005, which also includes any feedback we receive from the recipients.

The Department of Homeland Security established a searchable HSTC database and webpage on the DHS Intelligence Fusion Web-page and uploaded thousands of records. The HSTC updates the database daily.

The Coast Guard established and upgraded a classified website for the Center on its SIPRNET Website where the Center's products are posted.

The State Department established a public information Internet website to give general information about the HSTC (<http://www.state.gov/g/inl/c14079.htm>)

All personnel assigned to the Center have available, on their desktops, the State Department's unclassified and classified (up to Secret) systems and the DHS unclassified network, providing the HSTC access to numerous DHS databases. The State systems provide access to the State Intranet, e-mail, cable traffic and the Consolidated Consular Database, a powerful tool that contains millions of visa records.

We have completed installation and activation of DOJnet, which provides more efficient and secure communications between DOJ personnel assigned to the HSTC, and the Justice Data Network. We have also completed installation and activation of FBIInet terminals, providing the HSTC access to critical FBI data.

The Center installed secure video conferencing capability for real-time conferencing with overseas posts as well as domestic locations.

The HSTC and the State Department's Bureau of Consular Affairs are negotiating an agreement to give the Center access to the U.S. Passport database. We are also negotiating with DHS U.S. Citizenship and Immigration Services for appropriate HSTC access to USCIS records.

Secure desktop connectivity with the Intelligence Community has been approved by the Director of National Intelligence's (DNI) Interagency Policy Board (IAPB). We hope to have this, and other secure connectivity, installed in the next few months.

The Center created an electronic and hard copy library of images of genuine and fraudulent U.S. and foreign travel documents, and U.S. and foreign fraudulent document alerts. This is a limited internal database that is meant to be a research tool for analysts in the HSTC. It is not meant to be all inclusive nor is it meant to duplicate the library at the DHS/ICE Forensic Document Laboratory.

The Center's staff is also producing a body of useful intelligence assessments and reports at the same time they were building its infrastructure and establishing its procedures. These products were initiated by statutory requirements, requests from participating agencies, and self generation, where the Center staff saw a vulnerability or need to inform. Some of the more notable products include:

IRTPA § 7202(c)(4) requires the HSTC to prepare and transmit to Congress a strategic assessment regarding vulnerabilities in the US and international travel systems that can be exploited by terrorists, smugglers, traffickers and their facilitators. The HSTC and the National Counterterrorism Center (NCTC) jointly drafted a comprehensive vulnerabilities assessment and released it as a finished intelligence product on September 14, 2005. The report was delivered to Congress on December 16, 2005. We will be gearing up for the next report.

The Center is heavily involved in the production of the National Strategy to Combat Terrorist Travel, which the NCTC produced. Most of the Center staff were involved in drafting the strategy and one staff member was a lead drafter of this product.

The Coast Guard and the HSTC jointly issued intelligence products that identified certain asylum applicants in the United States, and a foreign national immigrant visa applicant with suspected extremist ties. These products resulted in two Joint Terrorism Task Force investigations and an individual being excluded from the US and having his visa revoked.

The Center has also produced several joint intelligence assessments with partner agencies regarding human smuggling from the East Asia/Pacific region, global smuggling routes and trends, human smuggling from China; smuggling and trafficking from the East Asia/Pacific region. The Center published, with the Coast Guard, a major threat assessment of smuggling from a South American country. The HSTC worked with the FBI to produce joint intelligence products looking at human smuggling front companies, human smuggling via Native American reservations, and human smuggling utilizing public conveyances. And we worked with the FBI

and DHS Office of Intelligence Analysis to produce an assessment of smugglers believed to present special security risks.

The Center has also produced numerous other products on its own initiative. These include a comprehensive intelligence assessment looking at human smuggling via a Caribbean country; an intelligence report identifying suspected fraudulent shipping companies in India that has proven particularly useful to Consular Affairs; an intelligence report on how the high number of lost/stolen US passports in two Middle East countries could facilitate illegal travel; and a report about a corrupt foreign consul who was selling passports and visas.

The HSTC is assigned the U.S. lead on a joint U.S./Canada cross-border trafficking in persons threat assessment that is being produced under auspices of the US/Canada Cross Border Crime Forum.

The Center also produced a fact sheet outlining the distinctions between human smuggling and human trafficking. This product is being widely used for training throughout the U.S. government, and has been used by the Royal Canadian Mounted Police and New York State law enforcement in their training programs. We also produced, for the State Department Office to Monitor and Combat Trafficking in Persons, two regional “snapshots” of trafficking inside the United States. The HSTC provided analytical support to an Assistant United States Attorney investigating an overseas sex tourism case, resulting in a guilty plea by the defendant.

As part of its foreign affairs function the Center, in coordination with the State Department, is cultivating relationships with several foreign immigration services and regularly exchanges information with them. This information is being disseminated to appropriate U.S. agencies. The Center is the U.S. representative to the Pacific Rim Immigration Intelligence Conference. The Center also supports various U.S. foreign affairs initiatives, for instance support to the US delegation to the Conference of the Parties to the UN Convention on Transnational Organized Crime and its Protocols. We drafted a report on fraudulent document production in Bangkok that serves as the basis for the G-8’s action plan to address that issue.

The HSTC Director sits on the National Security Council Policy Coordination Committee on International Organized Crime (PCC). An HSTC staff member drafted a section of the threat assessment that will be used as a basis for updating the U.S. Government’s strategy for addressing international organized crime.

Section 104 of the Trafficking Victims Protection Reauthorization Act of 2005 requires the Center to submit a report to Congress on links between trafficking in persons and terrorism – specifically links between the profits from trafficking and terrorist financing.

Mr. Chairman, the Center and the people assigned to it are dedicated to its missions. We look forward to working with this subcommittee in our efforts to secure our national interests. I also thank you for this opportunity to appear before this subcommittee and I will be happy to answer any questions you and the other members may have.